

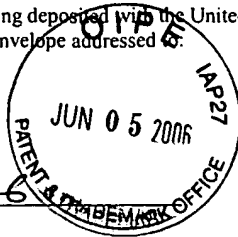
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On JUNE 1, 2006  
TOWNSEND and TOWNSEND and CREW LLP

By: \_\_\_\_\_

Roger Norton



PATENT  
Attorney Docket No.: 16869K-093800US  
Client Reference No.: 603/SM/mt

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Masataka INNAN et al.

Application No.: 10/661,154

Filed: September 12, 2003

For: STORAGE SYSTEM, AND  
METHOD FOR CONTROLLING THE  
SAME

Confirmation No.: 6807

Examiner: Eron J. Sorrell

Art Unit: 2182

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references cited foreign patent and non-patent references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

06/06/2006 CCHAU1 00000018 201430 10661154

01 FC:1806 180.00 DA

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Chun-Pok Leung  
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
RL:rnk



PTO/SB/08A (07-05)

Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/661,154
		Filing Date	September 12, 2003
		First Named Inventor	Masataka Innan
		Art Unit	2182
		Examiner Name	Eron J. Sorrell
		Attorney Docket Number	16869K-093800US
(Use as many sheets as necessary)			
Sheet	1	of	4

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	6,976,103	12-13-2005	Watanabe et al.	
	2	6,973,549	12-06-2005	Testardi et al.	
	3	6,922,761	07-26-2005	O'Connell et al.	
	4	2005/0138184	06-23-2005	Amir et al.	
	5	6,857,057	02-15-2005	Nelson et al.	
	6	2005/0033878	02-10-2005	Pangal et al.	
	7	2005/0010734	01-13-2005	Soejima et al.	
	8	6,772,315	08-03-2004	Perego	
	9	2004/0139237	07-15-2004	Rangan et al.	
	10	2004/0111485	06-10-2004	Mimatsu et al.	
	11	2004/0068637	04-08-2004	Nelson et al.	
	12	6,718,404	04-06-2004	Reuter et al.	
	13	2004/0064610	04-01-2004	Fukuzawa et al.	
	14	2004/0064641	04-01-2004	Kodama	
	15	2004/0054866	03-18-2004	Blumenau et al.	
	16	2004/0028043	02-12-2004	Maveli et al.	
	17	6,681,339	01-20-2004	McKean et al.	
	18	6,675,258	01-06-2004	Bramhall et al.	
	19	2003/0229645	12-11-2003	Mogi et al.	
	20	6,654,831	11-25-2003	Ottmessen et al.	
	21	2003/0212860	11-13-2003	Jiang et al.	
	22	6,647,414	11-11-2003	Yanai et al.	
	23	6,647,387	11-11-2003	McKean et al.	
	24	2003/0204700	10-30-2003	Biessener et al.	
	25	2003/0200387	10-23-2003	Urabe et al.	
	26	2003/0189936	10-09-2003	Terrell et al.	
	27	6,622,220	09-16-2003	Yoshida et al.	
	28	2003/0167419	09-04-2003	Yanai et al.	
	29	2003/0158999	08-21-2003	Hauck et al.	
	30	2003/0145168	07-31-2003	LeCrone et al.	
	31	2003/0115218	06-19-2003	Bobbitt et al.	
	32	2003/0115432	06-19-2003	Biessener et al.	
	33	2003/0101228	05-29-2003	Busser et al.	
	34	2003/0097607	05-22-2003	Bessire	
	35	2003/0056038	03-20-2003	Cochran	

Examiner Signature	Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/661,154	
			Filing Date	September 12, 2003	
			First Named Inventor	Masataka Innan	
			Art Unit	2182	
			Examiner Name	Eron J. Sorrell	
Sheet	2	of	4	Attorney Docket Number	16869K-093800US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	36	2003/0051109	03-13-2003	Cochran	
	37	6,529,976	03-04-2003	Fukuzawa et al.	
	38	2003/0037071	02-20-2003	Harris et al.	
	39	2002/0019922	12-14-2002	Reuter et al.	
	40	2002/0188592	12-12-2002	Leonhardt et al.	
	41	6,490,659	12-03-2002	McKean et al.	
	42	2002/0178335	11-28-2002	Selkirk et al.	
	43	2002/0156984	10-24-2002	Padovano	
	44	2002/0156987	10-24-2002	Gajjar, et al.	
	45	2002/0133735	09-19-2002	McKean et al.	
	46	2002/0124108	09-05-2002	Terrell et al.	
	47	6,446,175	09-03-2002	West et al.	
	48	2002/0112113	08-15-2002	Karpoff et al.	
	49	2002/0103889	08-01-2002	Markson et al.,	
	50	2002/0087544	07-04-2002	Selkirk et al.	
	51	2002/0065864	05-30-2002	Hartsell et al.	
	52	6,356,977	03-12-2002	Ofek et al.	
	53	2002/0029326	03-07-2002	Reuter et al.	
	54	2002/0026558	02-28-2002	Reuter et al.	
	55	2002/0019908	02-14-2002	Reuter et al.	
	56	2002/0019920	02-14-2002	Reuter et al.	
	57	2002/0019923	02-14-2002	Reuter et al.	
	58	6,341,329	01-22-2002	LeCrone et al.	
	59	2002/0004857	01-10-2002	Arakawa et al.	
	60	2001/0054133	12-20-2001	Murotani, et al.	
	61	RE37,305	07-31-2001	Chang et al.	
	62	6,247,103	06-12-2001	Kern et al.	
	63	6,247,099	06-12-2001	Skazinski et al.	
	64	6,195,730	02-27-2001	West	
	65	6,173,374	01-09-2001	Heil et al.	
	66	6,012,123	01-04-2000	Pecone et al.	
	67	5,917,723	06-29-1999	Binford	
	68	5,895,495	04-20-1999	Loechel et al.	
	69	5,870,537	02-09-1999	Kern et al.	
	70	5,835,954	11-10-1998	Duyanovich et al.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/661,154
				Filing Date	September 12, 2003
				First Named Inventor	Masataka Innan
				Art Unit	2182
				Examiner Name	Eron J. Sorrell
Sheet	3	of	4	Attorney Docket Number	16869K-093800US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	71	5,680,590	10-21-1997	Beardsley et al.	
	72	5,574,950	11-12-1996	Hathorn et al.	
	73	5,548,712	8-20-1996	Larson et al..	
	74	5,504,982	04-02-1996	Chai et al.	
	75	5,459,957	10-17-1995	Ludlam et al.	
	76	4,710,868	12-01-1987	Cocke et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	77	PCT	WO03/023640		03-20-2003	Sanrad		<input type="checkbox"/>
	78	JP	2001-331355		11/30/2001	Hitachi, Ltd.		abstract only
	79	JP	2001-249853		09/14/2001	Hitachi, Ltd.		abstract only
	80	JP	09-288547		11-04-1997	Hitachi Information Technology		abstract only

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/661,154
				Filing Date	September 12, 2003
				First Named Inventor	Masataka Innan
				Art Unit	2182
				Examiner Name	Eron J. Sorrell
Sheet	4	of	4	Attorney Docket Number	16869K-093800US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	81	"Celerra Data Migration Service (CDMS)," White Paper, EMC Corporation Hopkinton, MA (January 2002).	<input type="checkbox"/>	
	82	"Data Migration Solution Transferring Data Between Storage Systems over Fibre-channel or SCSI Connections," SANRAD Application Note: APP-003-03, SANRAD Inc. San Mateo, CA (2003).	<input type="checkbox"/>	
	83	"Migrating Individual Servers to an iSCSI SAN," SANRAD Application Note:APP-004-0 1, SANRAD Inc. San Mateo, CA (2003).	<input type="checkbox"/>	
	84	"Network Attached Storage in the Data Protection Environment," Sony Electronics Inc. (Feb. 2002).	<input type="checkbox"/>	
	85	ANDERSON et al. " Hippodrome: Running Circles Around Storage Administration," Proceedings of the 1st USENIX Conference on File and Storage Technologies (January 2002).	<input type="checkbox"/>	
	86	MEGGYESI "Fibre Channel Overview," High Speed Interconnect project European Laboratory of Particle Physics (CERN) web page <a href="http://hsi.web.cern.ch">http://hsi.web.cern.ch</a> (August 1994).	<input type="checkbox"/>	
	87	SARKAR et al. "Internet Protocol storage area networks," IBM Systems Journal 42: 218-231 (2003).	<input type="checkbox"/>	
	88	SICOLA "SCSI-3 Fault Tolerant Controller Configurations Utilizing SCC & New Event Codes," T10 Committee of the International Committee on Information Technology Standards (INCITS), X3T10 95 (October 1995).	<input type="checkbox"/>	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

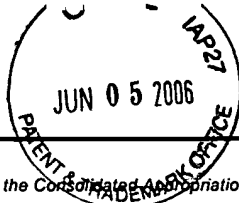
<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing) Total Number of Pages in This Submission: <u>4</u>	Application Number	10/661,154
	Filing Date	September 12, 2003
	First Named Inventor	Masataka Innan
	Art Unit	2182
	Examiner Name	Eron J. Sorrell
	Attorney Docket Number	16869K-093800US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): USPTO forms SB08A & B (four pages), copies of 12 cited references, Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Chun-Pok Leung		
Date	5-31-06	Reg. No.	41,405

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Roger Hylton	Date
		6/1/06



Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180)

**Complete if Known**

Application Number	10/661,154
Filing Date	September 12, 2003
First Named Inventor	Masataka Innan
Examiner Name	Eron J. Sorrell
Art Unit	2182
Attorney Docket No.	16869K-093800US

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity
	Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-20 or HP =	x	=	

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
-3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of Information Disclosure Stmt

180

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	41,405	Telephone	650-326-2400
Name (Print/Type)	Chun-Pok Leung	Date	5-31-06		